

JC07 Rec'd PCT/PTO 04 APR 2005  
PATENT Case No. 21139YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Mathvink, et al.

Serial No. 10/520,839

Filed: January 7, 2005

For: PIPERIDINO PYRIMIDINE DIPEPTIDYL PEPTIDASE  
INHIBITORS FOR THE TREATMENT OF DIABETES

Art Unit: To Be Assigned

Examiner: To Be Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By John R. Buzen Date 4-1-05

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

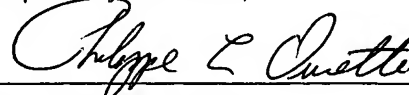
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
10/481,352	December 19, 2003	21249YP
10/501,059	July 9, 2004	21247YP

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Philippe L. Durette

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 35,125

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

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(732)594-4568

Date: April 1, 2005

**STATEMENT BY APPLICANT**

APR 04 2005

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Sheet

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of

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Attorney Docket Number

21139YP

## COMPLETELY KNOWN

**Application Number**

10/520,839

**Filing Date**

January 7, 2005

**First Named Inventor**

Robert J. Mathvink, et al:

Group Art Unit

Examiner Name

[illegible]

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	A	PCT	WO 03/082817 A2		MERCK & CO., INC.	10/09/2003
	B	PCT	WO 03/000180 A2		MERCK & CO., INC.	01/03/2003
	C	PCT	WO 03/000181 A2		MERCK & CO., INC.	01/03/2003
	D	PCT	WO 03/000181 A3		MERCK & CO., INC.	01/03/2003
	E	PCT	WO 02/076450 A1		MERCK & CO., INC.	10/03/2002
	F	PCT	WO 2004/007468 A1		MERCK & CO., INC.	01/22/2004
	G	PCT	WO 2004/032836 A2		MERCK & CO., INC.	04/22/2004
	H	PCT	WO 2004/050022 A2		MERCK & CO., INC.	06/17/2004
	I	PCT	WO 2004/058266 A1		MERCK & CO., INC.	07/15/2004
	J	PCT	WO 2004/064778 A2		MERCK & CO., INC.	08/05/2004

Examiner  
Signature

Date  
Considered

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		Office	Number	Kind Code (if known)		
	K	PCT	WO 2004/069162 A2		MERCK & CO., INC.	08/19/2004
	L	PCT	WO 02/02560 A2		NOVO NORDISK A/S	01/10/2002
	M	PCT	WO 01/96295 A2		NOVARTIS AG	12/20/2001
	N	PCT	WO 01/96295 A3		NOVARTIS AG	12/20/2001
	O	PCT	WO 01/34594 A1		Guilford Pharmaceuticals, Inc.	05/17/2001
	P	PCT	WO 00/34241		NOVARTIS AG	06/15/2000
	Q	PCT	WO 98/19998 A2		NOVARTIS AG	05/14/1998
	R	PCT	WO 98/19998 A3		NOVARTIS AG	05/14/1998
	S	PCT	WO 97/40832		Hansknoll-Institut Fur Naturstoff-Forschung E.V.	11/06/1997
	T	PCT	WO 03/000180 A3		MERCK & CO., INC.	01/03/2003

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		Office	Number	Kind Code (if known)		
	U	PCT	WO 02/02560	A3	NOVO NORDISK	01/10/2002
	V	PCT	WO 01/42262		AKZO NOBEL N.V.	06/14/2001
	W	PCT	WO 2004/043940		MERCK & CO., INC.	05/27/2004
	X	PCT	WO 2004/007468		MERCK & CO., INC.	01/22/2004
	Y	PCT	WO 2004/110436		MERCK & CO., INC.	12/23/2004
	Z	PCT	WO 2004/112701	A2	MERCK & CO., INC.	12/29/2004
	Z1	PCT	WO 2004/112701	A3	MERCK & CO., INC.	12/29/2004
	Z2	PCT	WO 2005/011581	A2	MERCK & CO., INC.	02/10/2005

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Substitute for form 1449B/PTO

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### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	A	J. J. Holst, "Treatment of Type 2 Diabetes Mellitus with Agonists of the GLP-1 Receptor or DPP-IV Inhibitors", Expert Opin. Emerg. Drugs, Vol. 9(1) pp. 155-166, 2004.
	B	C. F. Deacon, et al., "Inhibitors of dipeptidyl peptidase IV: A Novel Approach for the Prevention and Treatment of Type 2 Diabetes?", Expert Opin. Investig. Drugs, Vol. 13(9) pp. 1091-1102, 2004.
	C	K. Augustyns et al., " Dipeptidyl Peptidase IV Inhibitors as New Therapeutic Agents for the Treatment of Type 2 Diabetes", Expert Opin. Ther. Patents, Vol. 13(4), pp. 499-510, 2003.
	D	Novartis AG: WO0034241, "Novel N-substituted-2-Cyanopyrrolidines as Potent Inhibitors of Dipeptidyl Peptidase IV in the Treatment of Non-Insulin-Dependent Diabetes Mellitus", Exp. Opin. Ther. Patents, Vol. 10(12), pp. 1937-1942, 2000.
	E	O. J. Orucker, "Therapeutic potential of dipeptidyl peptidase IV inhibitors for the treatment of type 2 diabetes", Exp. Opin Invest. Drugs, Vol.12, 2004, pages 87-100.
	F	T. P. Vahl & D. A. D'Alessio, "Gut peptides in the treatment of diabetes mellitus" Exp. Opin. Invest. Drugs, Vol. 13, 2004, pages 177-188.
	G	L. B. Knudsen, "Glucagon-like peptide-1: The Basis of a New Class of Treatment for Type 2 Diabetes", J. Med. Chem, Vol. 47, 2004, pages 4128-4134.
	H	Ann E. Weber, "Dipeptidyl Peptidase IV Inhibitors for the Treatment of Diabetes", J. Med. Chem, Vol. 47, 2004, pages 4135-4141.
	I	J. J. Holst and C. F. Deacon, "Glucagon-like peptide 1 and inhibitors of dipeptidyl peptidase IV in the treatment of type 2 diabetes mellitus", Curr. Opin Pharmacology, Vol. 4, 2004, pages 589-596.
	J	C. F. Deacon, "Perspectives in Diabetes - Therapeutic Strategies Based on Glucagon-Like Peptide 1", Diabetes, Vol. 53, Sept. 2004, pages 2181-2189.

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